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| TO: Christine S. Washington | FROM: William F. Rauchholz |
| COMPANY: U.S. Patent and Trademark Office | DATE: July 11, 2003 |
| FAX NO.: 703-305-3230 | TOTAL NO. OF PAGES: (including cover sheet) 3 |
| YOUR REFERENCE NO.: U.S. Patent Appln. No. 09/762,692 | OUR REFERENCE (C/M) NO.: 005424.00002 |
| RE: | |

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|----------------------------------|-------------------------------|
| NAME: Donna A. Holbert | PHONE: 202-824-3188 |
|----------------------------------|-------------------------------|

COMMENTS:

Dear Ms. Washington:

As we discussed, we are sending you a copy of the Power of Attorney to our firm previously filed in the above-identified patent application. Please update the U.S. PTO records so that all future communications in this case are directed to our office. Our address is as follows:

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Suite 1100
Washington, DC 20001-4597.

Please direct all telephone calls to (202) 824-3000 and all facsimiles to (202) 824-3001.

We appreciate your help in correcting the U.S. PTO address records. Please let us know if you have any questions.

With best regards,

Will F. Rauchholz
William F. Rauchholz
Reg. No. 34,701

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------|---|----------------------------------|
| In re Application of |) | |
| SABANATHAN, Thirumani |) | Examiner: Unassigned |
| Serial No. 09/762,692 |) | Group Art Unit: Unassigned |
| Int. Filing Date: March 3, 1998 |) | |
| Priority Date: April 30, 1997 |) | |
| For: OCCLUSION DEVICE |) | Attorney Docket No.: 05424.00002 |

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY
AND EXCLUSIVE PROSECUTION HEREAFTER BY
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

The undersigned being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints the practitioners at Customer Number 22907 individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent.

I also authorize Banner & Witcoff, Ltd. to delete any attorney names/numbers no longer associated with Customer Number 22907 and to act and rely solely on instructions

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communicated from the person, attorney, firm or other organization sending instructions to Banner & Witcoff, Ltd. on behalf of the owner.

Certificate Under 37 C.F.R. §3.73(b)

I hereby certify that Emphasys Medical, Inc. at 2686 Middlefield Road, Suite A, Redwood City, California 94063, is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor to the aforesaid assignee, a copy of the assignment being attached.

I have reviewed the documents in the chain of title of the patent application identified above, and to the best of my knowledge and belief, title is in the aforesaid assignee for which I am empowered to act in this matter.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

EMPHASYS MEDICAL, INC.

Date: 23 July 2001

By: 

Name: Peter Chow

Title: Director, IP